

ATTORNEY'S DOCKET NO: C01104/70090

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ihor A. Lys, et al.  
Serial No: 10/040,266  
Confirmation No: 9692  
Filed: October 25, 2001  
For: METHODS AND APPARATUS FOR SENSOR RESPONSIVE  
ILLUMINATION OF LIQUIDS

Examiner: Haissa Philogene  
Art Unit: 2821

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**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the Office of Initial Patent Examination, at FAX number 703-746-9195, at the United States Patent and Trademark Office on the 12<sup>th</sup> day of November, 2003.

  
\_\_\_\_\_  
Jeanne W. Chub

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SECOND REQUEST FOR A CORRECTED FILING RECEIPT BASED ON  
SUPPLEMENTAL AMENDMENT**

Attached is a copy of a Filing Receipt dated 07/31/2002, received from the PTO in the above-identified application. Issuance of a corrected Filing Receipt is respectfully requested because the Priority Data is incorrect.

The Priority Data as claimed by Applicants should read as follows:

**- Cross References to Related Applications**

This application claims the benefit under 35 U.S.C. §119(e) of the following U.S. provisional applications:

Serial No. 60/243,250, filed October 25, 2000

Serial No. 60/296,377, filed June 6, 2001

Serial No. 60/297,828, filed June 13, 2001

Serial No. 60/290,101, filed May 10, 2001

This application also claims the benefit under 35 U.S.C. §120 as a continuation-in-part (CIP) of U.S. non-provisional application Serial No. 09/669,121, filed September 25, 2000, which is a continuation of U.S. Serial No. 09/425,770, filed October 22, 1999, now Patent No. 6,150,774,

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Serial No: 10/040,266

- 2 -

Art Unit: 2821

which is a continuation of U.S. Serial No. 08/920,156, filed August 26, 1997, now Patent No. 6,016,038.

This application also claims the benefit under 35 U.S.C. §120 as a continuation-in-part (CIP) of the following U.S. non-provisional applications:

Serial No. 09/215,624, filed December 17, 1998, which claims priority to the following U.S. Provisional Applications:

Serial No. 60/071,281, filed December 17, 1997;

Serial No. 60/068,792, filed December 24, 1997;

Serial No. 60/078,861, filed March 20, 1998;

Serial No. 60/079,285, filed March 25, 1998; and

Serial No. 60/090,920, filed June 26, 1998;

Serial No. 09/213,607, filed December 17, 1998;

Serial No. 09/213,189, filed December 17, 1998;

Serial No. 09/213,581, filed December 17, 1998;

Serial No. 09/213,540, filed December 17, 1998;

Serial No. 09/333,739, filed June 15, 1999;

Serial No. 09/344,699, filed June 25, 1999;

Serial No. 09/616,214, filed July 14, 2000;

Serial No. 09/870,418, filed May 30, 2001;

Serial No. 09/805,368, filed March 13, 2001;

Serial No. 09/805,590, filed March 13, 2001;

Serial No. 09/870,193, filed May 30, 2001;

Serial No. 09/742,017, filed December 20, 2000, which is a continuation of U.S. Serial No. 09/213,548, filed December 17, 1998, now Patent No. 6,166,496; and

Serial No. 09/815,418, filed March 22, 2001, which also is a continuation of U.S. Serial No. 09/213,548, filed December 17, 1998, now Patent No. 6,166,496.

Please forward a corrected filing receipt to us at your earliest convenience. No additional fee or certification is believed to be required. However, if for any reason a fee paid is inadequate,

Serial No: 10/040,266

- 3 -

Art Unit: 2821

or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge or credit our Deposit Account No. 50/2762.

Should any questions arise concerning the foregoing, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

*Ihor A. Lys, et al*



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Dated: November 12, 2003



## UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/040,266	10/25/2001	2821	882	C01104/70090 RFG	20	65	4

23628  
WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

CONFIRMATION NO. 9692  
UPDATED FILING RECEIPT



\*0C000000008546853\*

Date Mailed: 07/31/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

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George G. Mueller, Boston, MA;  
Kevin J. Dowling, Westford, MA;

	Initials
File Folder	<input checked="" type="checkbox"/>
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Docket Entry	<input checked="" type="checkbox"/>
Docket Cross-Off	<input checked="" type="checkbox"/>
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Annulites	<input type="checkbox"/>
Confirmation	<input type="checkbox"/>

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/669,121 09/25/2000  
WHICH IS A CON OF 09/425,770 10/22/1999 PAT 6,150,774  
WHICH IS A CON OF 08/920,156 08/26/1997 PAT 6,016,038  
AND IS A CIP OF 09/215,624 12/17/1998  
AND IS A CIP OF 09/213,607 12/17/1998  
AND IS A CIP OF 09/213,189 12/17/1998  
AND IS A CIP OF 09/213,581 12/17/1998  
AND IS A CIP OF 09/213,540 12/17/1998  
AND IS A CIP OF 09/333,739 06/15/1999  
AND IS A CIP OF 09/344,699 06/25/1999  
AND IS A CIP OF 09/616,214 07/14/2000  
AND IS A CIP OF 09/870,418 05/30/2001  
AND IS A CIP OF 09/805,368 03/13/2001  
AND IS A CIP OF 09/805,590 03/13/2001  
AND IS A CIP OF 09/870,193 05/30/2001  
AND WHICH IS A CIP OF 09/742,017 12/20/2000  
WHICH IS A CON OF 09/213,548 12/17/1998 PAT 6,166,496  
AND WHICH IS A CIP OF 09/815,418 03/22/2001

10/25/02(a)-afe  
01/04/03-afe  
08/31/02-afe  
11/07/02 ✓

DOCKETED  
AUG 06 2002

WHICH IS A CON OF 09/213,548 12/17/1998 PAT 6,166,496  
AND SAID 69/870,198 05/30/2001  
CLAIMS BENEFIT OF 60/243,250 10/25/2000  
AND CLAIMS BENEFIT OF 60/296,377 06/06/2001  
AND CLAIMS BENEFIT OF 60/297,828 06/13/2001  
AND CLAIMS BENEFIT OF 60/290,101 05/10/2001  
(\*)Data provided by applicant is not consistent with PTO records.

**Foreign Applications**

If Required, Foreign Filing License Granted 03/01/2002

Projected Publication Date: 11/07/2002 /

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Methods and apparatus for sensor responsive illumination of liquids

**Preliminary Class**

315

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



# FILE COPY

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2821

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/040,266	10/25/2001	Ihor A. Lys	C01104/70090 RFG

23628  
WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

**CONFIRMATION NO. 9692**


\*OC000000011287395\*

Date Mailed: 11/17/2003

### RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

#### Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☒ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

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- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.
- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

Harman T. Tegbaru  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY